

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: October 24, 2012

SUBJECT: PROCUREMENT AUTHORIZATION
TORONTO-YORK SPADINA SUBWAY EXTENSION
DESIGN, BUILD AND SUPPLY OF STATION MCC AND
UPS BACK-UP POWER EQUIPMENT
CONTRACT A75-21

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission authorize the award of a contract to NEDCO, a Division of Rexel Canada Electrical, (Nedco) in the amount of \$7,256,963.96 for Contract A75-21, Design, Build and Supply of Station MCC and UPS Back-Up Power Equipment.

FUNDING

Sufficient funds for this expenditure are included in the TTC's 2012-2016 Capital Program, which was approved by the Commission on December 14, 2011 and by Council on January 17, 2012. Funding for this work is included in the Toronto-York Spadina Subway Extension Project (Category – Expansion), as referenced in the 2011-2015 Capital Program books noted on pages 1447-1449R.

BACKGROUND

The TTC is planning the design and construction of an underground subway line from the existing Downsview Station on the Spadina Line located in the City of Toronto, to the proposed Vaughan Metropolitan Centre located in the City of Vaughan, Region of York. The new 8.6 km long line will include both tunnelled and cut and cover sections.

The Contract designated as A75-21 is for the final design, manufacture, fabrication, quality assurance, factory testing and commissioning, packaging, delivery and warranty of electrical equipment for the Toronto–York Spadina Subway Extension Project.

**PROCUREMENT AUTHORIZATION
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DISCUSSION

Specifications and drawings were prepared for Contract A75-21 and a Request for Bids (RFB) was posted on MERX and on the Commission's website as of August 16, 2012. Ten companies downloaded the bid documents from the MERX web site, out of which three companies submitted a bid as summarized in Appendix A (attached).

Wesco Distribution Canada LP submitted the lowest priced bid; however, they stated the following exception in their submission: "liquidated damages to be capped at 5% of contract value". Legal opinion was sought regarding Wesco's submission and as this is a pricing issue it was determined that the stated exception materially affects the bid. Wesco's submission is, therefore, considered commercially unacceptable.

Nedco submitted the second lowest priced bid and they did not state any exceptions or qualifications. Their bid is considered commercially acceptable. Nedco has satisfactorily completed work for the Commission in the past.

MTI Systems submitted the third lowest priced bid but failed to submit an Agreement to Bond. Their bid, therefore, is considered commercially unacceptable.

The successful bidder will be required to execute a Performance Bond in the amount of 50% of the contract value.

JUSTIFICATION

The bid submitted by NEDCO, a Division of Rexel Canada Electrical is the only acceptable bid received.

October 1, 2012
70-95
03-04-000079646

Attachment: Appendix A – Summary of Bids

APPENDIX A

Toronto-York Spadina Subway Extension
Design, Build and Supply of Station MCC and
UPS Back-Up Power Equipment
Contract A75-21

Summary of Bids

<u>Company Name</u>	<u>Bid Price</u>
1. Wesco Distribution Canada LP	\$5,338,509.85
2. NEDCO, A Division of Rexel Canada Electrical*	\$7,256,963.96
3. MTI Systems	\$9,192,459.00
ENGINEER'S ESTIMATE	\$5,800,000.00

*Recommended Company